

REMARKS

Applicant requests reconsideration and reexamination of the above-identified application in view of the amendments made to Claims 2-4 and the addition of new Claim 5 which replaces Claim 1 (which is canceled) and the arguments presented herein. The following remarks state Applicant's bases for making this request and are organized according to the Examiner's Action by paragraph number.

1,2. The Examiner states that Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Burkett et al. (U.S. 4,913,038). The Examiner states that Burkett et al. anticipate the structure claimed including a control system having a display portion (1) which changes according to the selection of predetermined cooking menu and the predetermined operating switches (16-18) for controlling the cooking conditions of the utensil.

Applicant wishes to point out that the cooking utensil of the present invention includes display portions for displaying cooking menus and a plurality of switches wherein each switch 1-4 (see FIG. 2) is located adjacent to or below its respective display portion. These switches are used for starting cooking timers counting a preset time most desirable for the cooking menu displayed on the display portion.

For example, when a menu of French-fried potatoes is on a display portion and a switch 1-4 is pressed, a cooking timer starts counting a cooking time which is set to be most desirable for French-fried potatoes. When the cooking timer ends, a cooking completion signal is generated.

As there are plural switches, when additional foods are added for another cooking during cooking of the original food, a cooking timer for another cooking is able to start counting time at the same time, but separately from the original cooking (that is, each cooking time can be controlled individually).

With a predetermined switching operation, the display portions display a plurality of operating modes instead of the cooking menus, which have been displayed so far on an operation panel 16 of the above-described cooking utensil. In such a case, each of the operating modes is displayed on the display portion adjacent to each of the control switches 1-4 which start cooking timers. When an arbitrary control switch is ON, an operating mode corresponding to the switch is displayed in the display portion positioned adjacent to and immediately above the switch.

In summary, the switches 1-4 have functions of both starting cooking timers and selecting operating modes, which are switched according to the display state. Each one of the

display portions displays both the names of the cooking menus and the names of operating modes in accordance with the switches of the predetermined display operation.

Applicant wishes to point out that Burkett et al. (U.S. 4,913,038), discloses a switch 12 for starting cooking timers and a switch 17 for selecting operation modes, which are separately provided. Moreover, on a display portion 2, a cooking menu and an operating mode are displayed on different positions (that is, a nameplate having either a cooking menu or an operating mode is inserted into an opening to be seen), which means that switching of display portion does not occur.

Moreover, in selecting an operating mode, it is necessary to keep a selection switch 17 pressed until an indicator light 3 moves to a desired operating mode, which makes it impossible to select an operating mode in one operation.

However, Applicant is amending the claimed invention by canceling Claim 1 and adding new independent Claim 5 to more particularly point out and distinctly claim the subject matter which Applicant regards as his invention. Claims 2 and 3 are being amended to be dependent on new Claim 5 either directly or indirectly.

Claim 5 calls for "means for switching said plurality of display portions from displaying said cooking information to displaying said operating mode information, each of said

display portions being located adjacent to one of said control switches respectively;", and such "means for switching..." is not disclosed by Burkett et al.

Therefore, Burkett et al. do not disclose all the elements of the present invention and Applicant believes that the present invention is not anticipated by Burkett et al. and that new Claim 5 along with dependent Claims 2-4 as amended are patentable. Claim 1 is canceled.

3. The Examiner states that Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Edamura (U.S. 4,972,060). The Examiner states that Edamura shows the structure claimed including a control system having a display portion (12) with operating switches (11) for selecting a predetermined cooking menus which then enables the system to control the heating and cooking process.

Applicant wishes to point out that Edamura discloses a plurality of menu name displays 12, each of which includes a switch 11 for selecting menus, and an operating mode is displayed on an operating mode name display 14. Hence, a cooking menu and an operating mode are not displayed on the same display portion. Moreover, selecting an operating mode occurs only by an operating mode selection switch 13, which means switching of a cooking menu and an operating mode occurs

by different switches. The present invention uses the same switches 1-4 and the same display portions 18 to select and display the cooking menu and the operating modes. Therefore, the present invention is quite different from Edamura, and it does not disclose all the elements of the present invention.

Further, Applicant has canceled independent Claim 1 and added new Claim 5 (as described above) which more particularly points out and distinctly claim the subject matter which the Applicant regards as his invention. Further, dependent Claims 2-3 are amended to be dependent on new Claim 5. Therefore, Applicant believes that Edamura does not disclose the elements of the present invention as claimed in Claims 2-4 (as amended) and new Claim 5, and that Claims 2-5 are now patentable.

4. The Examiner states that the Applicant argues that Burkett et al. does not show the switches that correspond to the names being displayed and, further, points out that the switch is not positioned adjacent to a particular display mode. The Examiner states that in Burkett et al., the switches are positioned adjacent to the display mode portion and they are situated at the positions that correspond to the display portion. The Examiner further states that the claimed "respective positions" are not limited to any particular area or areas. The respective positions can be the areas below the

display portion as shown in Burkett et al. Thus the Applicant's arguments are not deemed persuasive.

However, as described above and in Claim 5 switches 1-4 have functions of both starting cooking timers and selecting operating modes in accordance with the switching of the state of the display portions. Each one of the display portions display both the names of the cooking menus and the names of the operating mode depending on the switching of the predetermined display operation. New Claim 5 calls for "a plurality of display portions for displaying cooking information and operating mode information; a plurality of control switches, each of said control switches disposed adjacent to one of said display portions for starting cooking timers set for each cooking menu displayed on said display portions; means for switching said plurality of display portions from displaying said cooking information to displaying said operating mode information, each of said display portions being located adjacent to one of said control switches respectively; and means for selecting an operating mode, said operating mode being displayed in one of said display portions corresponding to and adjacent to one of said control switches, when said control switches are operated in said operating mode." Applicant believes that Claim 5 particularly points out the elements of the present invention which are not disclosed

by Burkett et al. and not disclosed by Edamura as discussed in paragraphs 2 and 3 above.

In view of the above, it is submitted that Claims 2-4 and new Claim 5 are now in condition for allowance. Reconsideration of the rejections and objections to Claims 2-4 and consideration of new Claim 5 is respectfully requested. Accordingly, it is requested that the foregoing amendment be entered and the case be sent to issue.

If there are any questions, we urge the Examiner to call us collect. Please charge any costs in connection with this document to our Deposit Account No. 16-0875.

Respectfully submitted,  
PEARSON & PEARSON, LLP  
BY

*Walter F Dawson*

WALTER F. DAWSON, ATTORNEY  
Gateway Center  
10 George Street  
Lowell, Massachusetts 01852  
(978) 452-1971  
Reg. No. 30,046